

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF TUESDAY, JANUARY 17, 2006

The Truro Board of Selectmen met for their weekly session on Tuesday, January 17, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Paul J. Asher-Best, Lloyd F. Rose, Christopher R. Lucy, Town Administrator Pamela Nolan, Assistant Town Administrator John J. Sanguinet, Administrative Secretary Julie DuPree, Planning Board members Nick Brown, Bill Worthington, Curtis Hartman, Bill Golden, and Ted Franklin, Joan Moriarty, Kevin Kuechler, Paige Allen, Atty. Murphy, Martha Nagy, Steve Desroche of the Cape Codder, and Mike Iacuesa of the Banner.

Mr. Gaechter convened the meeting at 6:00 p.m.

Minutes: Mr. Palmer moved to approve the minutes of the regular and Executive Sessions of January 10, 2005 as presented. Mr. Rose seconded it. Vote: 5-0, unanimous.

Public Comment: None.

Joint meeting with the Planning Board: The discussion on problems with the sign code was prompted by the LCP calling for uniform and consistent enforcement of it. The Planning Board is looking for a mandate from the BOS to act on this. Mr. Golden stressed that problems with it will only increase and they should act now. The Planning Board had prepared several options of possible action, ranging from doing nothing, grandfathering, strictly enforcing the existing code, reworking the code, or informing the public and then enforcing the code in order of priority. The two Boards discussed the issue thoroughly, with input from the Building Commissioner as well. After each Selectman had given his opinion on how to best act, **Mr. Gaechter moved to request the Planning Board implement a combination of option #4 (reworking the current code) and #5 (announcing a series of enforcement moves and a list of infractions to be enforced in order of their priority), and while doing the rewrite of the code, study with Town Counsel advising on the legality, a process of implementing #5 and to come back to the BOS for further discussion of #5. Mr. Asher-Best seconded it. Vote: 5-0, unanimous.**

Mr. Brown explained that Mr. Chaplin feels the Planning Board should have access to independent counsel without asking for permission. They are aware of the procurement laws, but need the ability to choose their own counsel. They are alarmed at the lack of depth of the current firm, although they have been very happy with all of the opinions they have received. Mr. Gaechter suggested that they work out the depth problem with our current counsel; as far as conflicts of interest, our Town Counsel has been very good at pointing it out. He would like the Town Administrator to do some research; our rate with current counsel has been very good for the town. He feels we should give Town Counsel the opportunity to address these complaints. Mr. Franklin raised the time constraints of having to get permission from the BOS to use counsel. Mr. Gaechter told him that permission from the BOS is not needed; when a request is made to the Town Administrator, she then issues an authorization number. There is no delay. The consensus of the BOS was to do research on the ability to obtain alternate counsel, and then to get back to the Planning Board.

Condominium Conversion application/covenant: Attorney Murphy represented Joseph M. Days, d/b/a Days Cottages, 271 and 276 Shore Road. The applicant has gotten approval for the parking plan from the Building Commissioner and approval of the septic system from the Health Agent and Board of Health. He has executed a covenant agreeing to the seasonality, and Attorney Murphy requested that the BOS accept this covenant on behalf of the town. **Mr. Palmer moved to approve. Mr. Lucy seconded it. Vote: 5-0, unanimous.**

Goals/Objectives: The Board reviewed their goals and objectives for FY20006, noting the progress made, those that have been substantially completed, and deciding who would work on which objective. Direction was given to Ms. Nolan to provide them with information where it is needed to bring some of them to completion, to place topics on future agendas and to draft a letter to multi-member bodies asking for their input on Town Counsel for the BOS to review. The Board accepted that there has been very little interest in having a Youth Council. **Mr. Gaechter moved to disband the Youth Council. Mr. Palmer seconded it. Vote: 5-0, unanimous.** The Town Administrator went over her goals.

Town Administrator's Report: (action items)

- IRS mileage rates have gone down to 44.5 cents. **Mr. Gaechter moved to change mileage reimbursement to 44.5 cents in conformance with the Federal IRS policy. Mr. Palmer seconded it.** Under discussion, Mr. Asher-Best pointed out that the BOS had changed their policy to reflect the IRS rate so they would not have to keep voting to change it. Mr. Gaechter withdrew his motion.

Next week's agenda: Joint meeting with the TBC.

Other business: Ms. DuPree received a request from the Blacksmith Shop Restaurant to close for the month of January so that they can do some renovating. **Mr. Palmer moved to approve the request. Mr. Gaechter seconded it. Vote: 5-0, unanimous.**

Selectmen/Liaison Reports: (Action items)

Lucy: The Planning Board would like to have its agendas on the website. Mr. Gaechter asked Ms. Nolan to look into this.

- Suggested that they look at the Wellfleet Bylaws regarding affordable housing, with an eye to perhaps putting a similar one before the voters this fall or spring. Mr. Asher-Best commented that Eastham's bylaw is not working. The BOS discussed meeting jointly with the Planning Board. Mr. Asher-Best suggested expanding such a meeting by making it a half-day roundtable with a facilitator, if necessary. Mr. Gaechter directed the Town Administrator to plan such a forum, and talk with the Housing Authority, the Planning Board, the ZBA, Ted Malone, the CPC, and the LCPC; it would be a public meeting to discuss affordable housing bylaws, zoning issues, accessory apartments and year-round condo use. Mr. Gaechter would like to hold it in late March.

Gaechter: -Reported that Lt. Lundborn brought the Boston Post Cane to the Town Administrator's office today. Ms. Nolan was directed to find out to whom it should be given. Mr. Sanguinet suggested having miniatures made of the cane as some other communities do.

The recipient's family can keep the miniature, whereas the cane must be returned upon the death of the person. The actual cane is usually displayed in an appropriate place.

- The Recreation Commission has informed the BOS of their appointment of Erin Sullivan-Silva to represent them on the CPC. Ms. DuPree explained that a written resignation was never received from Steve Roderick when the Recreation Commission appointed Dick Marr, who has now e-mailed his resignation to the Recreation Commission. The Town Clerk has now received Mr. Roderick's resignation, and as soon as she gets one from Dick Marr, the appointment of Ms. Sullivan-Silva can go forward. **Mr. Gaechter moved to confirm the Recreation Commission's appointment of Erin Sullivan-Silva contingent upon receiving written resignation from Dick Marr. Mr. Asher-Best seconded it. Vote: 5-0, unanimous.**

Other business: The Town Administrator was given a signed copy of her evaluation. Mr. Gaechter gave an overview of what he felt to be a constructive evaluation. Each BOS did an individual evaluation, and then the numerical rating given by each member was averaged. Individual comments were included. The scale was from #1-fails to meet expectations through #5-exceeds expectations. Her average was #3-meets expectations. Mr. Gaechter urged Ms. Nolan to take the comments as constructive, not negative. He noted that the comments showed a diversity of opinion. He told her that she should put the matter on an agenda if she wanted to make comments, but he would prefer that she take the time to read it through and reflect on it before commenting. **Mr. Asher-Best moved to accept the composite evaluation of the Town Administrator. Mr. Gaechter seconded it. Vote: 5-0, unanimous.**

Mr. Sanguinet informed the BOS that the State Office of Women and Minorities Business Assistance has requested that each town designate someone to be a Affirmative Marketing Construction Officer. **Mr. Gaechter moved to designate the Assistant Town Administrator as the town's designated Affirmative Marketing Construction Officer. Mr. Lucy seconded it. Vote: 5-0, unanimous.**

At 8:35 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to consider negotiations and to not reconvene in Open Session. Roll Call Vote: Asher-Best, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Rose, aye. 5-0, unanimous.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Paul Asher-Best, Clerk

Lloyd F. Rose

Christopher R. Lucy

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